



# MERIT SYSTEM PRINCIPLES



# OBJECTIVES:

This presentation will provide NASA employees with an understanding of the history and purpose of the Merit System Principles.

By the end of this presentation, you will be able to:

- Identify the major legislative milestones that resulted in forming the current merit system;
- Define the overall purpose of the merit system; and
- Identify and understand the basic elements of the nine Merit System Principles as the Federal Government moves toward performance-based management.

# HISTORIAL OVERVIEW



Early 1880's

1883



1978



1989

**1880's** – At the height of the “spoils era” (1829-1883), each change in national administration was the signal for the wholesale removal of Government employees to provide jobs for the supporters of the President and jobs were openly bought and sold.

**1883** – In 1881, President James A. Garfield was assassinated by a disgruntled job seeker while waiting to board a vacation train in Washington. President Garfield’s death gave new impetus to a Civil Service reform bill introduced by Senator Pendleton (Ohio). Passed in 1883, the Pendleton Act established procedures to assure that selections for certain Federal jobs would be open, competitive, and free of political coercion.

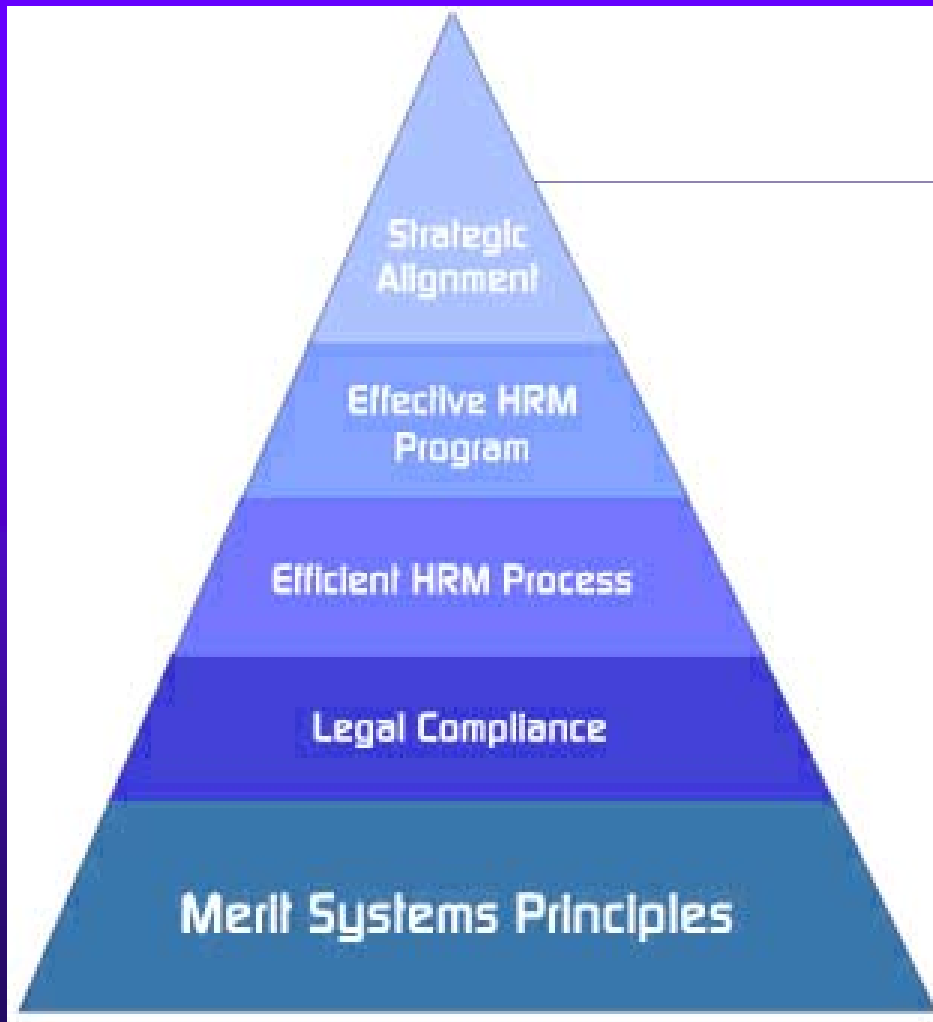
**1978** – The Intergovernmental Personnel Act required states that receive Federal funds to follow six Merit Principles. Finally, it was the Civil Service Reform Act of 1978 that created the nine Merit System Principles and the eleven Prohibited Personnel Practices.

**1989** – Whistle Blower Protection Act – With specific legal protections provided to Federal employees who identified instances of fraud, waste, and abuse in Federal operations, the merit system was strengthened significantly.



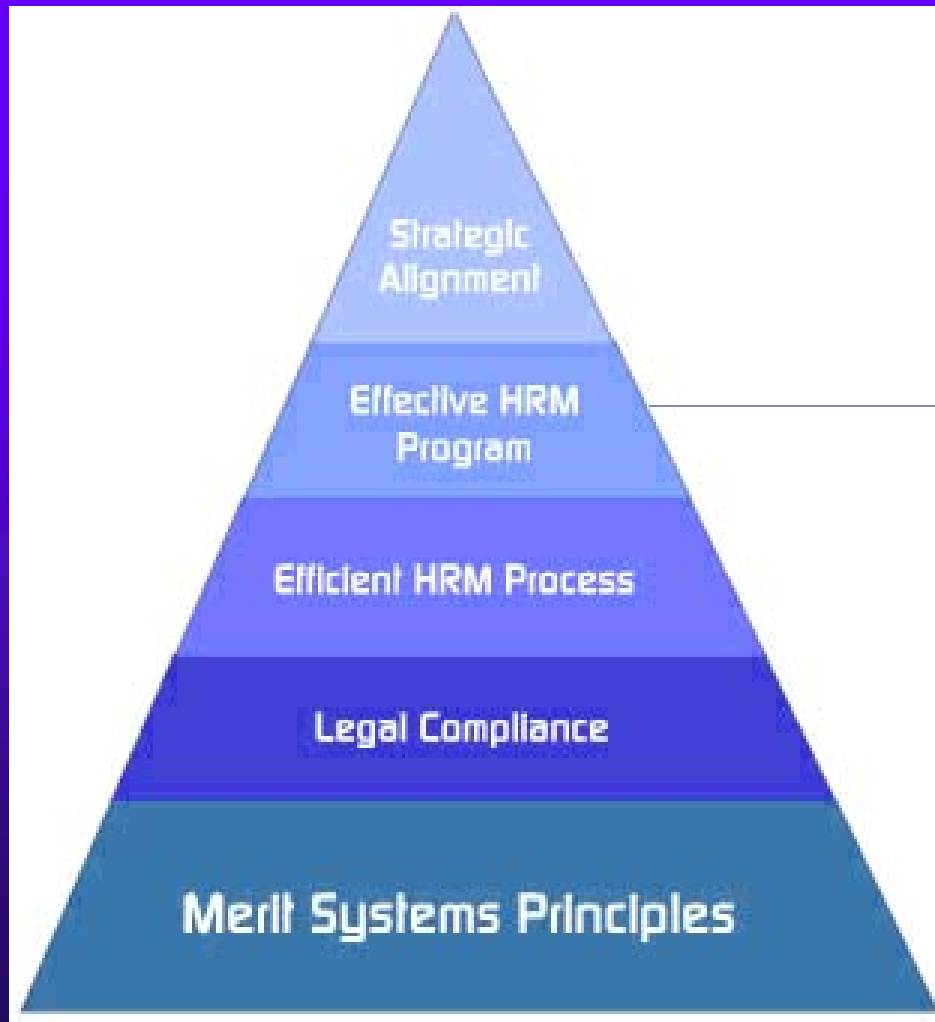
**FEDERAL HUMAN  
RESOURCES MANAGEMENT  
IN THE 21ST CENTURY**

# STRATEGIC ALIGNMENT



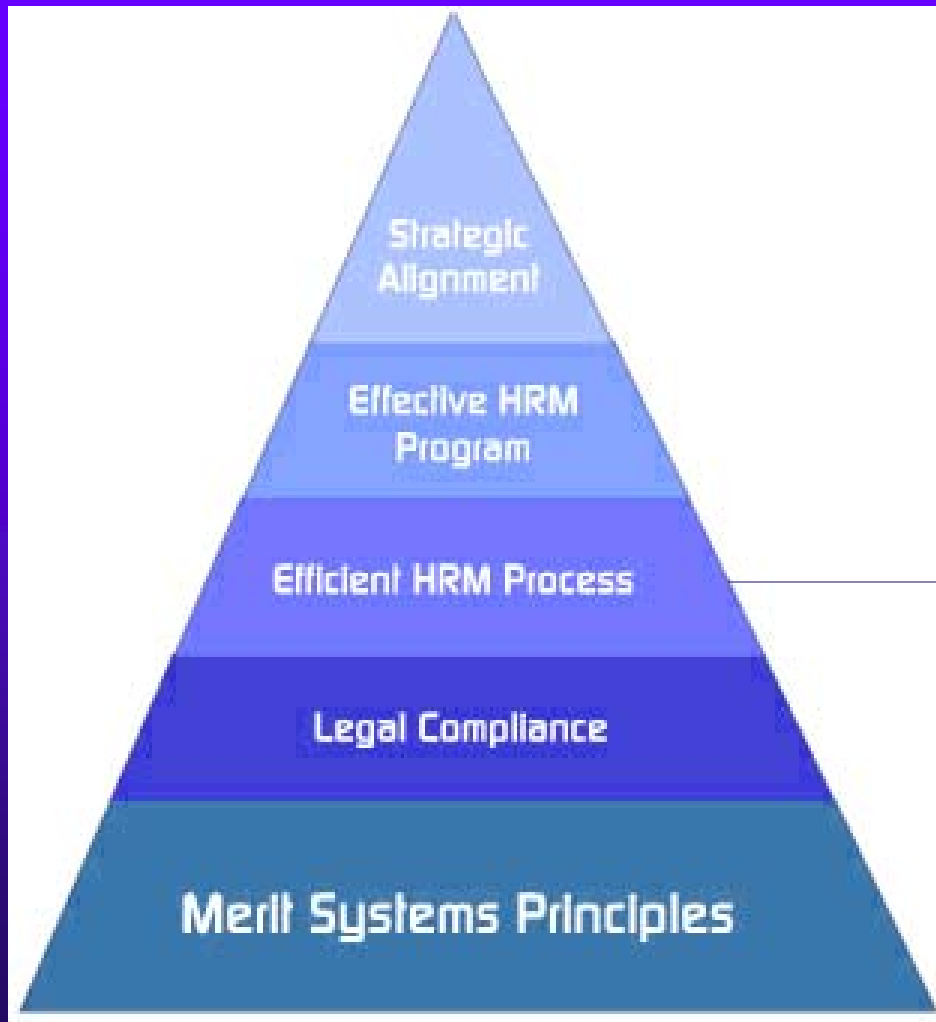
HR goals & objectives are aligned with the agency Strategic Plan. HR performance measures are combined with agency performance measures.

# EFFECTIVE HRM PROGRAM



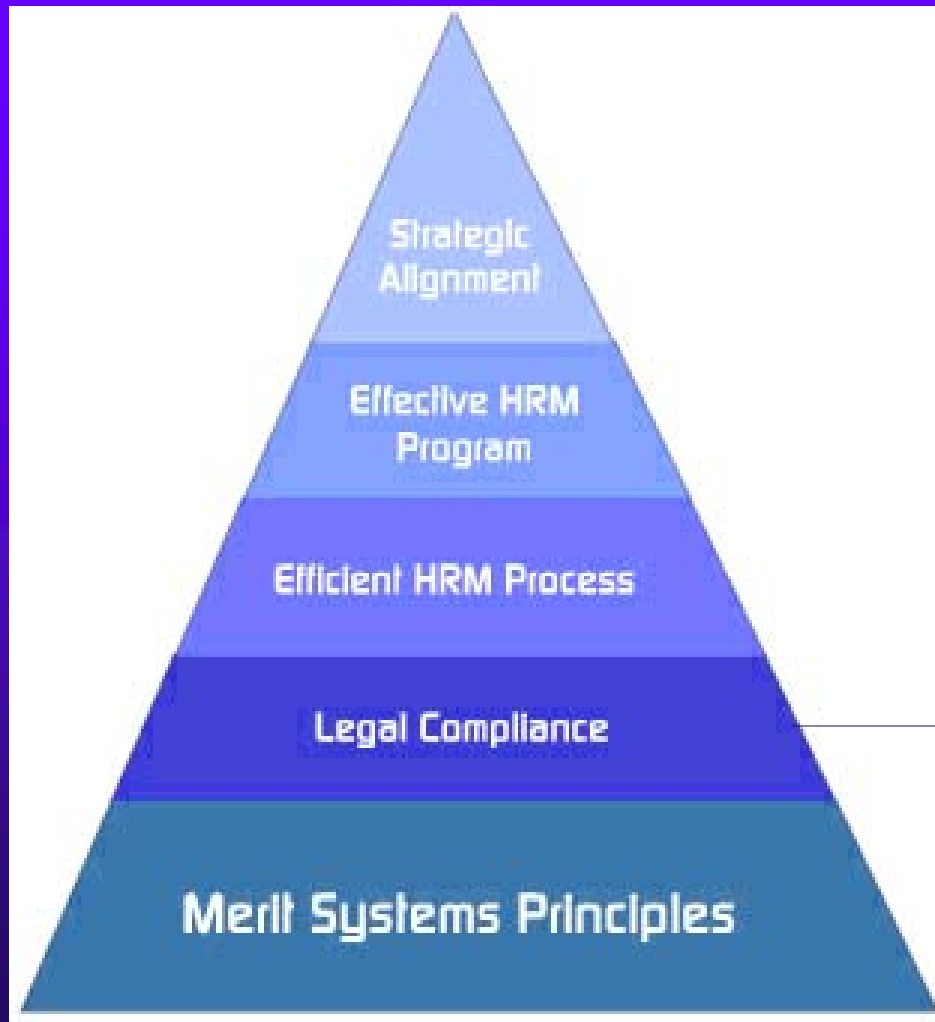
HR activities are directed at the development of Human Capital in support of the organization's core mission.

# EFFICIENT HRM PROCESS



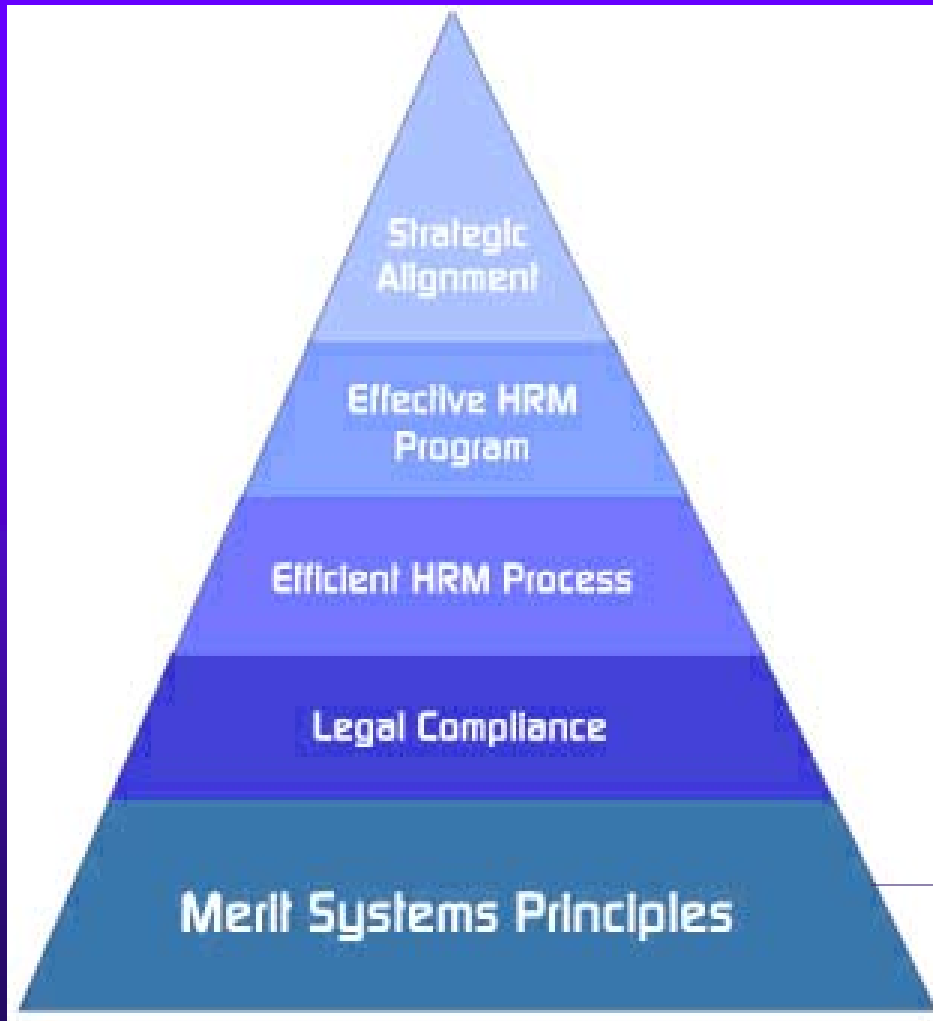
HR performance efficiency measures are used to enhance efficiency of HR processes such as recruiting, succession management, etc.

# LEGAL COMPLIANCE



The compliance with underlying HR statues remains, but is more flexible with the elimination of rigid policy guidance.

# MERIT SYSTEM PRINCIPLES



The merit system principles are the public's expectations of a system that is efficient, effective, fair, open to all, free from political interference, and staff by honest, competent, and dedicated employees.



## **WHY THE RENEWED INTEREST IN THESE PRINCIPLES?**

**New flexibility focuses on HR performance,  
not the rigid policies and prescriptions of  
the past, such as the Federal Personnel  
Manual.**



# **NASA WORKFORCE FLEXIBILITY ACT OF 2003**

**The NASA Workforce Flexibility Act of 2003, adds new Federal employee provisions concerning NASA's workforce authority. This bill provides NASA with the authority to:**

- 1. Pay recruitment, redefinition, and relocation bonuses;**
- 2. Make term appointments and related personnel actions;**
- 3. Fix basic rates of pay; and**
- 4. Extend Intergovernmental Personnel Act (IPA) assignments.**



# WHAT DO THE MERIT PRINCIPLES DO?

- ◆ Remind us that duty and the public interest are first, all else is second.
- ◆ Raise our sights to the public's long-term interest in an “effective civil service” which may, at time, conflict with immediate personal interest.
- ◆ Challenge the status quo - what we do/how we do it.
- ◆ Give us benchmarks to measure and judge all personnel policies, programs, practices, and individual behavior.
- ◆ Provide the basis on which OPM, on behalf of the President and the Congress, holds agencies and individuals accountable.



# MERIT SYSTEM PRINCIPLE #1

**RECRUITMENT SHOULD BE FROM QUALIFIED INDIVIDUALS FROM APPROPRIATE SOURCES IN AN ENDEAVOR TO ACHIEVE A WORK FORCE FROM ALL SEGMENTS OF SOCIETY, AND SELECTION AND ADVANCEMENT SHOULD BE DETERMINED SOLELY ON THE BASIS OF RELATIVE ABILITY, KNOWLEDGE AND SKILLS, AFTER FAIR AND OPEN COMPETITION WHICH ASSURES THAT ALL RECEIVE EQUAL OPPORTUNITY. [5 U.S.C. 2301(b)(1)]**

## **WHAT THIS MEANS:**

- ◆ **Employees are hired/advanced on the basis of their qualifications.**
- ◆ **Job information is available to the public on vacant jobs.**
- ◆ **People selected for jobs have the knowledge, skills, and abilities required for the job.**
- ◆ **Vacant jobs are filled after fair and open competition.**



# MERIT SYSTEM PRINCIPLE #2

**ALL EMPLOYEES AND APPLICANTS FOR EMPLOYMENT SHOULD RECEIVE FAIR AND EQUITABLE TREATMENT IN ALL ASPECT OF PERSONNEL MANAGEMENT WITHOUT REGARD TO POLITICAL AFFILIATION, RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, MARITAL STATUS, AGE, OR HANDICAPPING CONDITION, AND WITH PROPER REGARD FOR THEIR PRIVACY AND CONSTITUTIONAL RIGHTS.  
[5 U.S.C. 2301(b)(2)]**

## **WHAT THIS MEANS:**

- ◆ **Opportunity is provided equitably and fairly to use family friendly work place flexibilities to all employees.**
- ◆ **Employees are encouraged to use EAP programs.**
- ◆ **Managers, supervisors, team leaders deal fairly and equitably with complaints of discrimination.**
- ◆ **Disputes or conflict are resolved fairly.**
- ◆ **Employee rights to privacy are protected.**



# MERIT SYSTEM PRINCIPLE #3

**EQUAL PAY SHOULD BE PROVIDED FOR WORK OF EQUAL VALUE, WITH APPROPRIATE CONSIDERATION OF BOTH NATIONAL AND LOCAL RATES PAID BY EMPLOYERS IN THE PRIVATE SECTOR, AND APPROPRIATE INCENTIVES AND RECOGNITION SHOULD BE PROVIDED FOR EXCELLENCE IN PERFORMANCE. [5 U.S.C. 2301(b)(3)]**

## **WHAT THIS MEANS:**

- ◆ **High performing employees receive monetary awards.**
- ◆ **Supervisors/team leaders are fair in giving cash awards.**
- ◆ **Pay raises depends on how well employees perform their jobs.**
- ◆ **My pay is fair considering what other employees in this organization are paid.**
- ◆ **Employees are asked about their preference for different types of rewards and recognition.**



# MERIT SYSTEM PRINCIPLE #4

**ALL EMPLOYEES SHOULD  
MAINTAIN HIGH  
STANDARDS OF INTEGRITY,  
CONDUCT, AND CONCERN  
FOR THE PUBLIC INTEREST.  
[5 U.S.C. 2301(b)(4)]**

## **WHAT THIS MEANS:**

- ◆ **There is trust between employees and managers/supervisors/team leaders.**
- ◆ **All employee's conduct and behavior problems are addressed effectively.**
- ◆ **Managers and supervisors practice the MSPs.**
- ◆ **Prohibited personnel practices (PPPs) are not occurring in this organization.**
- ◆ **All employees maintain high ethical standards.**



# MERIT SYSTEM PRINCIPLE #5

**THE FEDERAL WORK  
FORCE SHOULD BE  
USED EFFICIENT AND  
EFFECTIVELY.**

**[5 U.S.C. 2301(b)(5)]**

## **WHAT THIS MEANS:**

- ◆ Employees participate in development of strategic plans.
- ◆ Employees receive the guidance they need to do their jobs effectively.
- ◆ Managers communicate the organization's mission, vision & values.
- ◆ Managers provide sufficient resources to get the job done.
- ◆ Employees are involved in improving the quality of products, services, & work processes.
- ◆ There is enough work to keep employees busy.
- ◆ A spirit of cooperation & teamwork exists.



# MERIT SYSTEM PRINCIPLE #6

**EMPLOYEES SHOULD BE RETAINED ON THE BASIS OF THE ADEQUACY OF THEIR PERFORMANCE, INADEQUATE PERFORMANCE SHOULD BE CORRECTED, AND EMPLOYEES SHOULD BE SEPARATED WHO CANNOT OR WILL NOT IMPROVE THEIR PERFORMANCE TO MEET REQUIRED STANDARDS.**

**[5 U.S.C. 2301(b)(6)]**

## **WHAT THIS MEANS:**

- ◆ **Supervisors provide fair & accurate ratings of employee performance.**
- ◆ **Supervisors provide employees with suggestions to improve job performance.**
- ◆ **High performers are motivated to stay with the organization.**
- ◆ **Supervisors deal effectively with poor performers.**



# MERIT SYSTEM PRINCIPLE #7

**EMPLOYEES SHOULD BE PROVIDED EFFECTIVE EDUCATION AND TRAINING IN CASES IN WHICH SUCH EDUCATION AND TRAINING WOULD RESULT IN BETTER ORGANIZATIONAL AND INDIVIDUAL PERFORMANCE. [5 U.S.C. 2301(b)(7)]**

## **WHAT THIS MEANS:**

- ◆ **Employees receive training they need to perform their jobs.**
- ◆ **Supervisors jointly determine employees training needs.**
- ◆ **Training plans are integrated into organization's overall strategy.**
- ◆ **Workforce has job-relevant & knowledge, skills, and abilities necessary to accomplish organizational goals.**
- ◆ **Funds are available for employees to get training they need.**



# MERIT SYSTEM PRINCIPLE #8

**EMPLOYEES SHOULD BE (A) PROTECTED AGAINST ARBITRARY ACTION, PERSONAL FAVORITISM, OR COERCION FOR PARTISAN POLITICAL PURPOSES, AND (B) PROHIBITED FROM USING THEIR OFFICIAL AUTHORITY OR INFLUENCE FOR THE PURPOSE OF INTERFERING WITH OR AFFECTING THE RESULT OF AN ELECTION OR A NOMINATION FOR ELECTION. [5 U.S.C. 2301(b)(8)]**

## **WHAT THIS MEANS:**

- ◆ **Employees are protected against arbitrary action, personnel favoritism or coercion for partisan political purposes.**
- ◆ **Employees do not use their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for election.**
- ◆ **Employees have not been pressured by an agency official to engage in political activity in violation of the Hatch Act.**



# MERIT SYSTEM PRINCIPLE #9

**EMPLOYEES SHOULD BE PROTECTED AGAINST REPRISAL FOR THE LAWFUL DISCLOSURE OF INFORMATION WHICH THE EMPLOYEES REASONABLY BELIEVE EVIDENCES (A) A VIOLATION OF ANY LAW, RULE, OR REGULATION OR (B) MISMANAGEMENT, GROSS WASTE OF FUNDS, AN ABUSE OF AUTHORITY, OR A SUBSTANTIAL AND SPECIFIC DANGER TO PUBLIC HEALTH AND SAFETY. [5 U.S.C. 2301(b)(9)]**

## **WHAT THIS MEANS:**

- ◆ **Employees are protected against reprisal for lawful disclosure of information that evidence (a) violation of any law (b) mismanagement, waste, fraud or abuse (c) danger to public health.**
- ◆ **Organization has informed employees what their rights are if they blow the whistle and are retaliated against.**



# PROHIBITED PERSONNEL PRACTICES



# THE PPPs

**Prohibited Personnel Practices (PPPs) are actions a Federal employee who has personnel authority may not engage in.**



# THE 12 PPPs

Employees with personnel authority shall not:

1. Discriminate for or against any employee or applicant for employment on the basis of race, color, religion, sex, or national origin.
2. Solicit or consider any recommendation or statement, oral or written, with respect to any individual who requests or is under consideration for any personnel action.
3. Coerce the political activity of any person (including the providing of any political contribution or service), or take any action against any employee of applicant for employment as a reprisal for the refusal of any person to engage in such political activity.



# THE 12 PPPs

Employees with personnel authority shall not:

4. Deceive or willfully obstruct any person with respect to such person's right to compete for employment.
5. Influence any person to withdraw from competition for any position for the purpose of improving or injuring the prospects of any other person for employment.
6. Grant any preference or advantage not authorized by law, rule, or regulation to any employee or applicant for employment (including defining the scope or manner of competition or the requirements for any position) for the purpose of improving or injuring the prospects of any particular person for employment.



# THE 12 PPPs

Employees with personnel authority shall not:

7. Appoint, employ, promote, advance, or advocate for appointment, employment, promotion or advancement, in or to a civilian position any individual who is a relative.
8. Take or fail to take, or threaten to take or fail to take, a personnel action with respect to any applicant for employment because (A) any disclosure of information by an employee or applicant which the employee or applicant reasonable believes evidence (I)...
9. Take or fail to take, or threaten to take or fail to take, any personnel action against any employee or applicant for employment because of (A) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation; (B) testifying or or other lawfully assisting any individual in the exercise of any right referred to in subparagraph (A); (C) cooperating with or disclosing information...



# THE 12 PPPs

Employees with personnel authority shall not:

10. Discriminate for or against any employee or applicant for employment on the basis of conduct which does not adversely affect the performance of the employee or the performance of others...
11. (A) Knowingly take, recommend, or approve any personnel action if the taking of such action would violate a veterans' preference requirement; or (B) knowingly fail to take, recommend, or approve any personnel action if the failure to take such action would violate a veterans' preference requirement.
12. Take or fail to take any other personnel action if the taking of or failure to take such action violated any law, rule, or regulation implementing, or directly concerning, the merit system principles contained in section 2301 of this title.